

SENATE RECORD VOTE ANALYSIS

104th Congress
2nd Session

Vote No. 98

April 30, 1996, 8:54 p.m.
Page S-4417 Temp. Record

ILLEGAL IMMIGRATION/English-Only Deportation Notices

SUBJECT: Immigration Control and Financial Responsibility Act of 1996 . . . S. 1664. Feinstein/Simon amendment No. 3776 to the Dole (for Simpson) amendment No. 3743

ACTION: AMENDMENT REJECTED, 42-57

SYNOPSIS: As reported, S. 1664, the Immigration Control and Financial Responsibility Act of 1996, will address the issue of illegal immigration: by increasing the number of Border Patrol and investigative personnel; by establishing pilot programs to improve the system used by employers to verify citizenship or work-authorized alien status; by increasing penalties for alien smuggling and document fraud; by reforming asylum, exclusion, and deportation laws and procedures; and by reducing the use of welfare by aliens.

The Dole (for Simpson) perfecting amendment to the bill would strike all after the first word and would insert the text of the bill, as amended, with one technical change.

The Feinstein amendment would strike the requirement to use English only in deportation orders (current law requires the use of English and Spanish).

Those favoring the amendment contended:

Current law requires deportation orders to be in English and Spanish. This requirement makes sense, because in many States most illegal immigrants speak only Spanish. If Spanish-speaking illegal immigrants were to receive their deportation notices in English they would not understand them. The bill before us will remove the requirement to give orders in Spanish as well as English. We oppose that removal, and thus support the Feinstein amendment to strike it from the bill.

Those opposing the amendment contended:

(See other side)

YEAS (42)			NAYS (57)			NOT VOTING (1)	
Republicans (8 or 15%)	Democrats (34 or 72%)		Republicans (44 or 85%)	Democrats (13 or 28%)		Republicans (1)	Democrats (0)
Abraham	Akaka	Kennedy	Ashcroft	Jeffords	Baucus	Cohen- ²	
D'Amato	Bingaman	Kerrey	Bennett	Kassebaum	Biden		
DeWine	Boxer	Kerry	Bond	Kempthorne	Bradley		
Domenici	Breaux	Kohl	Brown	Kyl	Bryan		
Hatch	Bumpers	Lautenberg	Burns	Lott	Dorgan		
Hutchison	Byrd	Lieberman	Campbell	Lugar	Exon		
Snowe	Conrad	Mikulski	Chafee	Mack	Glenn		
Thompson	Daschle	Moseley-Braun	Coats	McCain	Heflin		
	Dodd	Moynihan	Cochran	McConnell	Leahy		
	Feingold	Murray	Coverdell	Murkowski	Levin		
	Feinstein	Pell	Craig	Nickles	Nunn		
	Ford	Robb	Dole	Pressler	Pryor		
	Graham	Rockefeller	Faircloth	Roth	Reid		
	Harkin	Sarbanes	Frist	Santorum			
	Hollings	Simon	Gorton	Shelby			
	Inouye	Wellstone	Gramm	Simpson			
	Johnston	Wyden	Grams	Smith			
			Grassley	Specter			
			Gregg	Stevens			
			Hatfield	Thomas			
			Helms	Thurmond			
			Inhofe	Warner			

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

Spanish is not equal to English in this country as the common language, and it should not be treated as though it is as equal in official Government documents. Spanish, like all other languages, is secondary. Many Spanish speakers understand English, many German speakers understand English, many Cantonese speakers understand English, etcetera. In this country, English is clearly the primary language and the general presumption until proven otherwise should be that anyone who is here can speak it. That presumption does not mean that the policy is or should be that anyone who does not understand a deportation order is subject to summary deportation. Rather, when an alien does not understand an order, on a case-by-case basis the Immigration and Naturalization Service (INS) should provide, does provide, and will continue to provide translations. The INS successfully deals with people speaking hundreds of languages and dialects without violating their due process rights to understand the proceedings and to defend themselves, but it only sends deportation notices in two languages. We are convinced that the INS can defend due process rights for Spanish-speaking people who cannot speak English just as well as it can defend those rights for people who speak other languages but not English. This amendment has nothing to do with due process rights. The only question it raises is whether Spanish is equal to English in the United States. We answer that it is not, and thus firmly oppose this amendment.